Vol no. 8869
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Block 7

Rack No. 13

Shelf No.

Serial No. 8869

General No. 29999 9353

List of Retainable papers for 1818. Board file.

[R]eceived Letters. without Enclosures. Madura Collectors' Office.

8869

[Date]	Number.	From whom received:	Substance.
14/1		Secy to the Board of Revenue	Supplying hints with respect to the provisions of Regulation 14 of 1816 on the mode of conducting cases in Courts by Vakils and informing to see that the Vakils are duly furnished with instructions by the Registers of the respective Courts as prescribed in Regulation 27 of 1802.
21/1		Do. Do.	Requesting not to resume the villages granted for the support of a chuttrom of Mungalesswaree Nachiyar of Ramnad. [This paper is not in the file]
2/2		Do. Do.	Informing that orders have been received from England for reverting to the Ryotwar System of Settlement where that System previously existed

	Number.	From whom received.	Substance.
			and also for introducing it [illegible] in the other Districts wherever Permanent Settlement does not obtain and Stating that the most positive orders have been received from Govt. against any further Settlement on base or any Settlement even for one Year with any other person than the actual cultivator of the land &c and therefore requesting to make ryotwar Settlements in all cases possible.
/2		Secy. to the Board of Revenue	Informing that all estates managed by Collectors on behalf of Zemindars may be considered as under amaunie management

as

List of Retainable papers for 18 21

Received Letters. Madura Collectors' Office.

Date.	Number.	From whom received:	Substance. 3
			and that the same information respecting the annual settlement, the mofuzabitah, the repair and the balances and collections be required of Collector &c. if the Estates were under Govt. management
12/3	"	Secy. to the Board of Revenue	Animadverting on his neglect in not yet replying to the Board's repeated orders for explanation on the subject of remission in fusli 1224 and in not reporting on the proposed reduction of the Teerwahs.
22/4	"	Do Do	Desiring to transmit to the Board a statement respecting the Salt revenue in the District within a fortnight

List of Retainable papers for 18

Received Letters. Madura Collector's Office.

Date.	Number.	From whom received.	Substance.
[illegible]6	"	Secy to the Board of Revenue	Desiring to report by whom, whether by the Collector or by his assistant, the duties of Magistrate have been performed in the District between 1st May 1817 and 30th April 1818, and whether the Magisterial duties interfered with the Revenue work.
[illegible]6	"	Do Do	Giving instructions for revising and reducing the [illegible] of the Province of Dindigul and requesting to submit for the approval of the Board draft of Puttahs or Cowles to be issued for the Cultivation of the fasli Year 1228, notifying and guaranteeing the reduction

3

List of Retainable papers for 1818.

Received Letters. Madura Collectors' Office.

Number.	From whom received.	Substance.
		now Sanctioned to be valid for the three fasli years 1228–1230 and then to be subject to such alteration as the information obtained in the mean time shall warrant.
1/7	Secy to the Board of Revenue	Informing that the Govt of Madras has Sanctioned the payment of the Yeomeah of one cully fanam per diem to the family of Faheer Mahomed deceased.
15	Do Do	Informing that the Madras Govt has Sanctioned the continuance of the Yeomeah allowance of one cully fanam per day to the relations of Subba Sastry, a deceased Yeomiahdar
17/8	Do Do	Calling for further information concerning

Received Letters. Madura Collector's Office.

Date.	Number.	From whom received.	Substance.
			Concerning three Statements connected with arrangements to be made with the Zemeendars of Madu[illegible]lacotah and Sundaiyers [This Paper is not in the file].
24/8		Secy to the Board of Revenue	Directing that all import & export in the Commercial Dept. be chargeable with duty and that all imports and exports in the Territorial Dept. be exempt.
2/11		Do Do	Forbidding the practice of quoting the opinions and instructions of the Board of Revenue and annexing copies of the Board's letters to the Govt. Vakil to be produced on trial in Civil or Criminal Courts.
17/12		Do Do	Expressing his regret at his having referred to the Board a subject not

List of Retainable papers for 18

Received Letters. Madura Collectors' Office.

Date.	Number.	From whom received.	Substance.
			not within its Cognisance and at his Comments on the Decision passed by the only authority to Competent to Settle the case
29/12	"	Secy to the Board of Revenue	Communicating the grant of an allowance of 3/4 of a cally fanam for the Support of the family of Abdul Cawder.

1818 # Index 5 9 Page

5th January		Acceding to indent for ten barrels of gunpowder	1.
5th	Do.	Sanctioning Extra Charges for Fusly 1227	2
12th	Do.	Hints for the Collector in proceeding under Regulation XIV. A.D. 1816.	3
15th	Do.	Rejecting Charges of Survey in his Statement of Charges for Fusly 1225	6
26th	Do.	Authorizing Confiscation of Smuggled goods seized in the month of December	9.
22d	Do.	Sanctioning Estimated expence of Tank repairs for Fusly 1226	10.
12th February	R	Noticing Appointment of John Hodgson Esqre to be Commissioner for the restitution of the Dutch Settlements	11.
9th	Do. R	Discontinuing the Settlement of Villages on Lease and directing that future Settlements be made with the Cultivators	12
9th	Do.	Calling for particular information on Charges which exceed the estimated in Moyenzabitah Statements	16.
9th	Do.	Noticing frauds in the Salt Department from excess of Measurement	17
10th	Do.	Forwarding 500 Salt Rowannahs	18.
12th	Do.	Directing Application to the Secretary to Govt. for a Copy of the regulations	19.
25th	Do. R	Calling for the same Information on the Annual Settlement Moyenzabitah &c. of estate of Zemindaries under Management as if the Estates were Managed for the Government	20.
2d March		Authorizing Confiscation of Smuggled goods seized in January	21.
12th	Do. R	Calling for further information on the Deduction of the Madura & Dindigul Revenues.	22.

1810			Page
26th March		Authorizing Confiscation of Smuggled goods Seized in February	26
31st	Do	Forwarding 500 Salt Rowannahs	27
22d April	R	Calling for a Statement respecting the Salt Revenue	28
30th	Do	Authorizing Confiscation of Smuggled goods Seized in March	30
13th May		Suggesting the propriety of transmitting Cardamums by Sea	31
28th	Do	Authorizing advance of [illegible]	32
28th	Do	Sanctioning absence of Mr Drury	33
1st June		Refusing Commission on the Revenues of the Bannad Zemindary	34
1st	Do	Authorizing the Confiscation of Smuggled goods Seized in April	35
18th	Do R	Enquiring to Ascertain if the Revenue and Magisterial duties are discharged with facility	36
25th	Do R	On revising and reducing the [illegible] of the Province of Dindigul	38
13th July		Calling again for Report on the land Revenue Rented out on decennial lease & the Settlement under which the land Revenue not Rented has been Collected	42
7th June		Forwarding 500 Salt Rowannahs	43
30th	Do	Authorizing Confiscation of Smuggled Salt Seized in May	44
4th July		Forwarding 500 Salt Rowannahs	45
6th	Do R	Sanctioning Yeomiah to the family of Fakeer Mahomed	46
13th	Do R	Continuing Yeomiah of Soobah [illegible]	47
16th	Do	Approving duties performed by Mr Drury and Mr French	48
20th	Do	Sanctioning work recommended by Captain Boss	49

1818. Page

23d July. Forwarding 500 Salt Rowannahs ... 50

3d August Acceding to Proposals for the Rent of Akheree Buerree ... 51

17th Do. Calling for further information concerning three Statements connected with Arrangements to be made with the Zemindars of Maboor Nellacottah and Sundgoor ... Not found 52

R

20th Do. Granting Collector leave of Absence ... 55

24th Do. Directing that all imports and exports on the Commercial Department be chargeable with duty & that all Imports and Exports in the Territorial Department be exempt ... 56

R

27th Do. Directions on miscellaneous matters not considered of sufficient importance to form the Subjects of Separate Communications 58

3d Sept. Authorizing Confiscation of Smuggled goods seized in July ... 62

4th Do. Desiring that all explanations against retrenchments by the Civil Auditor should be made to that Officer ... 63

14th Do. Calling for a duplicate of the receipt for the balance of Cash passed by the Head Assistant on receiving Charge ... 64

24th Do. Forwarding 500 Salt Rowannahs ... 65

28th Do. Calling for a Report on the System prevailing for the purchase Custody and Sale of Salt ... 66

5th October Approving prosecution against a person for Stamping Cloth with a false Chop ... 68

12th Do. Authorizing Confiscation of Smuggled goods seized in August ... 69

22d Do. Forwarding 500 Salt Rowannahs ... 70

2d Novr. Forbidding the practice of quoting the Opinions and instructions of the Board & annexing Copies of the Board's letters to the Government Vakeel to be produced on trial in Court ... 71

R

1818.		Page
28th Novr.	Authorizing confiscation of Smuggled Goods Seized in September	76
17th Decr.	Pointing out the futility of Addressing the Board against the Judgement of Courts	77
19th Do.	Forwarding 500 Salt Rowannahs	79
28th Do.	Granting an Allowance of three quarters of a Cully Fanam per diem for the support of the family of Abdul Cauder Yeoman dar	80
31st Decr.	Forwarding 500 Salt Rowannahs	81

R

R

Revenue Department

R

To the Collector in Dindigul and Madura

Sir,

Para 1st I am directed by the President and Members of the Board of Revenue to call your attention to Section IX and its clauses first, second, and third of Regulation XIV A.D. 1816 and to desire that whenever you may have occasion to furnish petitions motions, or pleadings ready drawn up to the Government Vakeel, in the Zillah, Provincial or Sudr Courts, that you will cause these Documents to be furnished to the Vakeels in the Native language and be careful to attend to the other injunctions of the Regulation quoted

quoted above —

2 You will observe that by Clause sixth section XXXVII of the Regulation referred to that the Vakeels of Government are declared subject to all rules enacted for the guidance of Vakeels generally —

3 The object of Section IX being obviously to render Vakeels immediately and personally responsible for whatever document they may tender to a Court of Justice, and thereby to incite them to a more efficient discharge of their duties it would be advisable that in all practicable cases all motions and papers to be laid by the Government &c Vakeels before the Courts, should be first submitted to the perusal of the Vakeels and that they should be invited to offer any observations they may have to make before the

the documents are filed —

4 In ordinary cases the best course to be pursued would be that the Collector should furnish the Vakeel with the substance of what he wishes to have stated leaving it to the Vakeel to draw out the paper in the Regular and prescribed form — The Collector having satisfied himself that the Vakeels paper contains the matter to be stated — he may then authorize it to be filed —

5 The Board are not aware that any objection exists to motions petitions or pleadings being accompanied by translations in English but as such translations cannot be received as Originals, they need not bear any official signature — The Register or other proper officer of the Courts is required, the Board believe, to certify all translations

to

to be true translations of the original paper presented by the Vakeels - A translation authenticated by a Collector is not therefore a valid instrument. -

6. The Board suggest further that in all cases motions and pleadings should be prepared in the first instance either by the Government Vakeel or by you in the Native language as being more likely to be clearly understood and correctly argued upon by the Government Vakeels than they could be on an incorrect or imperfect translation of an original English draft. -

7. The Board take this opportunity of again desiring that all communications to the Civil or Criminal Courts may be made by motions in writing in the Native language through the Government Vakeel

Vakeel and that all the prosecutions of a Criminal nature of public servants or of others whom you may deem it necessary as Collector to prosecute before the Criminal Judge, may be conducted by the Government Vakeel - It is to be hoped that in time the Government Vakeels will become expert in their business and afford useful aid in such prosecu-tions and in the preparations of petitions for regular or special appeals. —

8 In Section XXVII Regulation XXVII. A. D. 1802 you will find it laid down that the instructions to the Vakeels are to be transmitted under cover to the Register of the respective Courts and that the Registers are to deliver the instructions to

the

the Vakeels.—

I am,

Sir,

Your most Obedient Servant

W D [redacted]

Secretary

Fort St. George
12th January 1818
Despd. 21 Co.

Compd. [illegible]

10 Revenue Department

R/

19

To The Collector in Dindigul and Madura

Sir,

Para 1. The President and Members of the Board of Revenue have on different occasions informed the several Collectors that orders have been received from England for reverting to the Ryotwar System of Settlement, where that System previously existed, and also for introducing it generally in the other districts wherever the permanent Settlement does not obtain — but having lately observed

that

that, notwithstanding this intimation, some Collectors have considered themselves at liberty, even in Districts formerly settled on the Ryotwar plan, to rent out Aumanee Villages, or to re-rent those which, from the failure of the first renters, may have lapsed to Government. I am directed to state for the information and guidance of each, that the most positive orders have been received from Government against any further Settlements on lease, or any Settlement even for one year with any other person than the actual Cultivators of the land or Village to be rented "except "when it becomes the only alterna- "tive to receiving the revenue in kind." —

Detailed

2 Detailed instructions &c respecting the general introduction of the Ryotwar Settlement will be furnished to the Several Collectors so soon as they can be prepared; mean time, Collectors in those cases where a field assessment in money on the Ryotwar plan hereto-fore prevailed will revert to that mode of Settlement in all Villages under Aumanee or of which the leases may hereafter lapse, and where the Ryotwar field assessment does not exist, Collectors in such cases will either receive the revenue from each Cultivator (failing the alternative noticed in para 4) in kind or Money according to the custom of the Village; or settle with each Cultiva-tor for a fixed sum for the total quantity

quantity of land Cultivated by him. —

3 On failing to effect so detailed a Settlement, Collectors may make a Village Settlement for the current year only, with as many Cultivators of the Village as may be willing to contract to pay the public revenue due from the Village, in Money but even in this case Collectors will use their best endeavours to define the extent of the responsibility of each partner in the contract and be careful not to make a joint rent where it may be possible to make a Kulwar or individual Rent. —

4 Should Collectors not be able to prevail in cases where no field

field assessment in money exists either on each Cultivator separately, or on all or a part conjointly of each Village to contract to pay the revenue in money, they are permitted as the last resource, and in preference to receiving the revenue in kind, to contract for the public Revenue with any other fit person; but in such case they must be careful to deliver to the Cultivators their full share of the crops or to secure the delivery of it by the Renter — it being under-stood that the objects of the rent are only to save the loss and expense of a retail sale of the Circar share of the produce by the Native Officers

of Government -

5 When every Cultivator is endeavouring to cheat, even a Multitude of officers cannot prevent innumerable frauds, and where a large quantity of produce is to be received and sold by Native Officers on the public account the loss by ignorance, carelessness, waste, and peculation must be considerable, and experience has generally shewn that less will reach the treasury in proportion to what is taken as revenue from the Cultivator by this, than by any other mode of realizing the public revenue, and if Collectors are satisfied from their experience

of

13 15.

of the correctness of those observations the engagements to be hereafter entered into with each Cultivator or with all, or a part of every Village may without loss to Government be made so moderate as to induce the Cultivators readily to accept the terms offered to them.—

I am,

Sir,

Your Most Obedient Servant

[illegible]

Secretary

Fort St. George
9th February 1818
Desp. 16. Do.

Copy
W.G.

27

~~D~~ R

To the Collector in Madura &

Dindigul

Sir

The Right Hon'ble the Governor in Council having directed that all Estates managed by Collectors for the behoof of Zemindars may be Considered as Under aumanie Management & that the same Information respecting the annual Settlement, the Moyen Zabetah the repairs & the balances & Collections be required of Collectors as if the Estates were managed for

for the Government - you will be careful
to obey these orders to the full Extent and
to furnish the usual annual reports and
Statements —

Fort St. George
26th February 1818.
Desp. 4th March Do.

I am
Sir
Your most Obt. Servant
J. W. Russell
Depy. Secretary

Compd. W.

15

R

To the Collector in

Madura and Dindigul

Sir,

Para 1 Your Letter of the 4th of February, in reply to the communication made to under date the 29 December last, has been received by the President and Members of the Board of Revenue but is by no means deemed by them a satisfactory answer to the remarks therein contained.

2. So far back as the 11th Sept. 1815 you were called upon to be "explicit" as to the reduction which the Board understood

understood had been made by you in the teerwas of Madura and Dindigul - but you were informed that it was consi-dered adviseable that the reclassification of the lands should precede the final reduction of the Teerwas -

3. In your answer of March the 22d 1816 you state that you are about to address the Board so soon as the accounts of some Villages are completed -

4. In April 1816 the Board again called upon you to explain whether the remission in fusly 1224 arose from a modified classification of the lands only from a reduction in the general rates

of

of teerwa, or from both operations combined.
and you have since been repeatedly urged
to transmit your report on the proposed
reduction of the teerwas.

5. In your present letter you
briefly state that the Settlement of
Dindigul has been "the same as in
"former years," as you have received no
authority for reducing the teerwas and
you quote a letter of the 13th of April from
the Board as the ground of your opinion
that the classification of the Villages therein
directed "was to supersede every other thing."

6. The Board cannot discover
any letter to have been addressed to you
on the 13th of April for several years back.

you

you will therefore explain more correctly the letter to which you allude - if it be the Boards' Circular letter of the 2 of April 1817 regarding the experimental survey of a single Village in the assumed Pollams, you will further explain by what construction you could have understood the orders on that particular subject to supersede the general and repeated orders of the Board regarding the re-classification of the lands in Dindigul and the final reduction of the teerwas. —

7. Are the Board to understand from your present letter, that notwith-standing your assurances two years ago,

in

in March 1816, that you were about to address them regarding this subject; as soon as the accounts of some Villages were completed, that the lands of Dindigul, since you took charge of the District, have been settled "precisely "the same as in former years?" that they has been no reclassification of the lands, no reduction of the teerwas? if not, you will explain the principles upon which the re-classification or reduction has been made. The Board cannot consider the information to be derived from mere accounts as sufficient, they desire that you will fully state the principles on which you have proceeded —

In short, the Board wish to understand what you have actually done in this matter during the three last y[ears]. They accordingly desire that, without further delay, you will proceed to answer those parts of their proceedings on your Settlements since July 1224 inclusive to which you have not yet replied: that you will fully explain in detail all you[r] arrangements in Dindigul and — Madura since you took charge of these districts, shewing clearly what alterations if any, have been made in the re-classi-fication of the lands or the reduction of the teerwas; and in future they desire that their instructions be — " — replied

to

to by you at the time they are received, or
as soon after as circumstances will admit
On a re-examination of your records you
will find that on more than one occasion
you have omitted to reply to the Boards
orders on important subjects, such as
the nature of the Mohturfa tax in your
district, and the permanent provision
to be made for the Zemindars of Sundoor
&c. formerly Polygars, who at present
enjoy only temporary pensions. The Board
accordingly desire me in conclusion to
repeat to you their exhortation that you
will be more attentive to your duty and
to your public correspondence —

See Circular Letter with the Boards' Proceedings on Mohturfa - dated 24 April 1815

I am, Sir,
your most obedient servant
J. W. Russell
Dy. Secretary

Fort St. George
12 March 1818
Desp.d 24th do do
Comp.d W.Fr.

19

R

37

To the Collector in Madura & Dindigul.

Sir

I am directed by the President and Members of the Board of Revenue to desire that you will, with as little delay as possible, transmit to them a statement according to the inclosed form, respecting the Salt Revenue in your District. The Board are willing to hope that you will be able to despatch the statement in question from your Office, within 15 days after the receipt of this communication, as

as it is required by them, with the view

of submitting to Government a general

statement of the results of the Salt

Monopoly, and of recommending an im-

-proved system of Management in that

branch of the public resources.—

Fort St. George Iam,

23rd April 1818. Sir,

Recd 28th do. Your most Obedient Servant

W. D. Campbell

Secretary

Copd. H. H.

20

Form E

Fuslies	Salt sold for inland & home consumption from 12th July to the 11th July			Value			Salt sold for exportation from the 12th July to the 11th July			Value			Total Sales			Total Value		
	Mgarces	M	M	S Pr	F	C	Mg	M	M	S Pr	F	C	Mg	M	M	S Pr	F	C
1216																		
1217																		
1218																		
1219																		
1220																		
1221																		
1222																		
1223																		
1224																		
1225																		
1226																		

[illegible]

Revenue Department

21

To the Collector in Madura and Dindigul

Sir.

Para 1 The Governor in Council being solicitous to know for the information of the Governor General in Council "whether experience "has shewn that the Collectors, especially in "Districts not permanently settled, have "sufficient leisure to discharge with effect "the various duties now entrusted to them "and whether any material share in the "management of the Police is intrusted by "Collectors to their Assistants and whether the "aid of additional European Assistants under "the Collectors is likely to be required" I am directed

...ra 7th Letter from Fort William ...ed 18th November 1817 encl.d in ...letter from Mr. Secretary Hill 1st May 1818.

directed by the President and Members of the Board of Revenue to desire that you will inform them by whom the duties of Magistrate have been performed in your District between the 1st May 1817 and 30th April 1818 that is whether those duties have been discharged by you or by one of your Assistants.—

2 You are further requested to state whether the duties of Magistrate if delegated to your Assistant occupy the whole of your Assistants time or whether you have during the period mentioned received material aid from him in the discharge of your revenue duties.—

3 You are also required to report whether when you have taken upon

yourself

28 43

yourself the discharge of the duties of Magistrate you have found the discharge of those duties materially to interfere with the discharge of your [illegible]enue duties.

4. An early answer is required to this letter to enable the Board to make the report called for by the [illegible] in Council.

Fort St. George
18th June 1818.

Dispd 25 Do

Sam
Sir,
Your most Obedient Servant
[illegible]
Acting Secretary

[illegible]

Revenue Department

R 23

45

To the Collector in Dindigul and Madura

Sir,

Para 1 I am directed by the President and Members of the Board of Revenue to acknowledge the receipt of your letter of the 22d Ultimo.

2 The consideration of the subject of revising and reducing the teerwas of the Province of Dindigul was resumed so long ago as September 1813 and in the 2d para of a long letter to you dated the 9th of that month, the sentiments of the Governor in Council on the expediency in all cases of reducing the public assessment where evidence had

had been obtained of its being excessive were communicated to you. In a letter to Government of the 3^d August 1815 copy of which was furnished to you on the 11th September of that year the subject was again fully discussed and the reclassification of the lands by means of the Cultivators without an immediate reference to the teerwa intended to be fixed on the land was suggested to you. It is thus nearly five years since you received the first instructions and ample discretionary authority on the subject of a reduction of the Teerwas of Dindigul, a Province yielding little more at present than half a lac of Pagodas of land revenue and yet you do not appear to be further advanced in this important labour than to have completed the classifica-

of

of the Toddycamboo Division and to have considerably advanced in the classification of the Pyempully Division which you state was upon re-examination found to be so incorrect from the ignorance of the people employed as to render it necessary to have this Division reclassed - You add that you are now occupied in the reclassification of the Pyempully and Nellacottah Divisions and that as it must unavoidably take up some time before these and other divisions can be completed, it would perhaps be advisable for the present to reduce the assessment at once and you have therefore proposed tables of assessment for each division in concert with the inhabitants.

3 From this short review of

your

your proceedings and suggestions it is clear that the classification of the lands of each village by means of the Cultivators of the adjoining Villages of the division superintended by your public Servants has not been attempted, and all that has been at best produced is a scale of assessment for each division framed in communication with the Cultivators of these divisions.

4 When the Board suggested the re-classification of the lands by means of the Cultivators they referred you to those persons who were best acquainted with the productive qualities of different kinds of soil the Board knew that there would be "great difficulty in procuring "people who understood thoroughly the

"classification

"classification of lands" and they regret to observe that your rejection of their suggestion obliged you to begin "with only two" and "that from so few people being employed the "work went on slowly."

5 As the classification of the land to be made by the Cultivators under the direction of your local servants or others deputed for that purpose would have been made without any reference to the Teerwa intended to be charged on each separate class, the Board, uninformed as they are of your reason for rejecting the suggestion, are of opinion that the re-classification of the whole arable lands of Dindigul might have been made in a few months.

6 Considering the great delay

to

to whatever cause attributable, which has taken place in reducing the teerwas of Dindigul and remedying the so long acknowledged errors of the ryotwar field assessment introduced by Mr Hurdis, the Board have no alternative at present but to direct the immediate adoption of the scale of assessments referred to in the 11th para of your letter and enclosures numbers 9 – 10 & 12 – They accordingly desire that puttahs or Cowles may be issued for the cultivation of the fusly year 1228 notifying and guaranteeing the reduction now sanctioned to be valid for the three fusly years 1228 – 1229 and 1230 and then to be subject to such alteration as the information obtained in the mean

time

time shall warrant — You will transmit a form of Cowle to be issued, with a translation thereof, without delay for the approval of the Board. —

7 The Board will expect that during the interval of three years thus granted you to reform the Teerwa assessment of Dindigul you will complete the reform in a satisfactory manner and be prepared before the expiration of Fusly 1230 to issue new Cowles fixing permanently the teerwas on all the arable land of all the Villages of the small Province of Dindigul. —

I am

Sir,

Your most Obedient Servant

J. W. Russell

Acting Secretary

Fort St. George
25th June 1818

Despd. 1 July

Compd. W. T.

27 Revenue Department

53

R/

To the Collector in Dindigul and Madura

Sir,

I am directed by the President and Members of the Board of Revenue to acknowledge the receipt of your letter dated the 22nd May last, and to acquaint you that the Right Honorable the Governor in Council has been pleased at their recommendation to sanction the payment of the yeomiah of one Cully fanam per diem to the family of Fakeer Mahomed deceased from the date of his death.

Date of sanction 23d. June

I am

Sir,

Your most Obedient Servant

J. W. Russell

Acting Secretary

Fort St. George
1st July 1818
R. B. O. D.

Comp. &c.

28 Revenue Department

R/

To the Collector in Madura and
Dindigul

Sir,

I am directed by the President and Members of the Board of Revenue to acknowledge the receipt of your letter under date the 19th ultimo, and to acquaint you that, the Right Honorable the Governor in Council has been pleased

…sanction
…ly 1818.

at their recommendation to continue to the relations of Soobah Sastry, a deceased Yeomiahdar in your District, his Yeomiah of one Cully fanam pr. day, from the date of his

death

death.—

I am

Sir,

Your most obedient Servant

J. W. Russell

Actg Secy

Fort St. George

13th July 1818.—

Desp'd 21st do — do

Comp'd W. Gor

Revenue Department

To the Collector in Dindigul and Madura.

Sir,

Para. 1 I am directed by the President and Members of the Board of Revenue to state for your information and guidance that in conformity with the orders from the Supreme Government, the Right Honorable the Governor in Council has been pleased to resolve as a General rule to be observed in the territories subject to this Presidency that all imports and exports in the Commercial Department shall

In Mr. Secy Hill 9th June 1818.

shall as usual be chargeable with duty but that all Imports and Exports in the Territorial Department shall be exempt altogether either from the charge or actual of any duty—

2. In conformity with these orders Cardamums received by the Collector in Dindigul from the hills there, Coffee &c. the produce of the Tinnevelly plantations belonging to Government, Sandal wood the produce of the Coimbatore forests and Coir received from the Beebee of Cannanore or the Laccadive Islands, or in short any articles which may form part of the territorial

30

51

territorial revenue are to be passed free of all duty under a general Muafee Rowanah.

I am

Sir,

Your most obed. Servt.

J. Trissell[?]

Depy. Secretary

Fort St. George

24th August 1818

Recd. 27th Do.

Compd. [illegible]

31 Revenue Department

R

To the Collector in

Madura & Dindigul

Sir,

The Board of Revenue have had occasion to observe that some Collectors are in the habit when they receive opinions or instructions from the Board on Civil or Criminal cases under trial or directed to be brought to trial, of quoting the opinions and instructions of the Board; and not unfrequently of annexing Copies of the Board's letters to the instruction to the Government Vakeel to be produced in Court - I am now directed to desire that this

this practice may be discontinued. The opinions of the Governor in Council or of the Board, as opinions only can have no weight in a Court of Justice, and it is not proper to produce them there. Whatever explanation or interpretation of the law, or of the particular case, the opinions of the Board may contain should, if necessary to aid a suit, be embodied in the instructions of the Collector to the Vakeel, & without reference to the authority from which they emanate.

2 Instances have also occurred where Collectors have delayed or declined to execute the decrees of the Zillah Court, either because the decree in the opinion of the Collector or of the Board of Revenue

Revenue was in opposition to the Regula-
-tions, or would in its result be attended
with a loss of revenue, or inconvenience.

3 The occasions on which
Collectors are called upon to communi-
-cate officially with the Civil Courts are
chiefly those where the Government are
represented by the Collectors as parties
in Civil Suits, or those where Collectors
are required, in conformity with the
Regulations, to sell estates or parts of
estates paying Revenues to Government.
In cases of the former description, the
Collector, representing the Government, is
like his opponent, a party seeking justice
at the hands of the Court subject to
the same rules of proceeding and

pursuing

pursuing his end by the same authorized means — The pleadings he may file, and the motions he may submit to the Court tho' they may be grounded on the &c instructions of Superior authority must be presented as the acts of the party prosecuting or defending the Suit — In cases of the latter class, the Collector acts only ministerially, and as the executive officer of the Court itself and if any particular circumstances should lead the Collector to suppose that the execution of the orders &c received would be inconsistent with any regulation in force he should without loss of time submit his doubts thro' the Government Vakeel for the

determination

determination of the Court that has issued the order, care being taken that the Suspension of the execution of the decree shall not risque the eventual frustration of the object of the original precept. — But Collectors must bear in mind that when they are thus acting as the executive Officers of the Civil Courts, it is not competent to them simply to withhold obedience to a precept issued to them, but that they must immediately submit the case for the final orders of the Court — In such a case an opinion of the Governor in Council or the Board of Revenue may be the ground of reference but on the principle stated, cannot itself warrant an unreferred refusal to

execute

execute a precept commanding a sale of property real or personal in execution of a decree –

4.° Collectors however will bear in mind that, as executive Officers in the execution of decrees of the Courts of adawlut, Section IV Regulation XXVI 1802 requires them to sell "such portion" only of the entire estate of a Zemindar "as shall answer the amount of the decree" and that therefore the entire Zemindary can in no case be sold where a subdivision would be sufficient to answer the decree – They will also remember that the same Regulation contains the rules under which subdivisions of estates are to be formed – and declares

(see

(see Section VIII,) that no Sub-division can
be valid until confirmed by the Board
of Revenue in writing — accordingly in
all cases where a part and not the entire
Zemindary is sold a reference to the
Board respecting the Subdivision is
requisite previously to the execution of
the decree —

5 Neither the instructions of
the Board nor the orders of Government
if contrary to the existing law, can
protect Collectors from the penalty of
the law, altho' they will if directed
to be acted on, always entitle them
to have the suit defended at the public
expense — such opinions or instructions,
therefore, as are received by Collectors

relating

relating to any case under consideration or to be brought under consideration, should be conveyed to the Vakeel as coming direct from the Collector, without any reference to the Superior Authority who may have directed their preparation.

The Board consider it necessary to add that in furnishing copies of documents under the discretion vested in Collectors, it should be remembered that opinions of the revenue Authorities not followed by a decision can be of no use in a Civil Suit, and that therefore no Copies of letters should be furnished containing opinions either of the Collector, of the Board or of the Governor in Council. Copies of decisions by the Revenue Authorities in their

judicial

judicial capacity may often be necessary to establish civil rights and should be furnished when applied for by parties interested in the decision —

Fort St. George
2d November 18[illegible]
Cons. 6 do do

I am
Sir
Your most obt. Servant

[illegible]
Secretary

Compd. W. J.

36

Revenue Depart[t]

R

711

To the Collector in

Madura and Dindigul.

Sir,

Para. 1 In reply to your letter of the 24th. ultt. forwarding copy of a decree passed by the Southern Provincial Court, I am directed by the President and Members of the Board of Revenue to express to you their regret that you should have considered it requisite to address them officially in a matter entirely beyond their cognizance, or to comment upon the decision passed by the only authority competent to settle

the

the case.—

2. The dispute is between individuals the two chaps of land alluded to are expressly declared in the decree "Malgoozary" or liable to the payment of revenue to whosoever possession adjudged— not Enam, as mentioned in the 3d para. of your letter— Enam lands are in the Regulations termed "Lakhiraj" and the fees in grain decreed against the defendants— are fees payable by the inhabitants against whom they are decreed, not by the Government.—

3. If you have allowed arrears to accrue against the Village to which the Seat alludes, and the inhabitants have been permitted to squander in litigation what

what ought to have been paid by them to Government, the Board are sensible that the recovery of the arrears may be difficult – but this surely can never justify your interference with the merits of the dispute – and instead of commenting on the decisions of the Courts, the Board are of opinion that Collectors ought officially to treat them with that deference which is due to the judgements of every deliberate tribunal – Although where they may appear to them not to have taken a correct view of the case, there can be no objection to their advising the parties concerned as

to

to the mode of bringing them under review of the same Court - or of the Superior authorities - but to give your own opinions on the merits of the case or to refer the subject to the Board of Revenue, is to encourage a reference to a Department that can give no relief whose opinions in such cases can have no weight - and whose interference with judicial matters would perhaps, if permitted, be as prejudicial to individuals and the public, as it is now irregular and useless -

I am
Sir,
Your most obedt. Servant
W.D. Campbell
Secretary

Fort St. George
17th December 1818
Despd. 23. Do.
Compd. [illegible]

38

Revenue Department

To The Collector in Dindigul and Madura

Sir,

I am directed by the President and Members of the Board of Revenue to acknowledge the receipt of your letter under date the 25th Ultimo, and to acquaint you that the Right Honorable the Governor in Council has been pleased to grant an allowance of three quarters ($\frac{3}{4}$) of a cully fanam per diem for the support of the family of Abdul Cawder, a former yeomiahdar in your District

Date of sanction
22d December 1818.

District

Iam,

Sir,

Forte St. George
28th December 1818
Despd 29 Do

Your Most Obedient Servant

G. W. Russell
Actg Secy

Compd
W. G.